

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	<b>ORDER OF SUSPENSION</b>
	)	
Earlena G. Mackey,	)	
	)	
Certificate 154485	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on December 11, 2007. On February 2, 2007, the State Department of Education (Department) had delivered to Earlena G. Mackey a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Ms. Mackey received the notice, as evidenced by the signed Verification of Delivery form, but did not request a hearing within the time frame specified in the notice. After considering the information presented, the State Board voted to suspend Ms. Mackey's certificate until she repays the full amount owed on her outstanding loan with the State of South Carolina obtained through the Center for Teacher Education, Recruitment, Retention and Advancement (CERRA).

**FINDINGS OF FACT**

Ms. Mackey holds a valid South Carolina educator certificate and has over eighteen years of teaching experience. On August 2, 2000, Ms. Mackey signed a promissory note with the State of South Carolina to obtain a loan of \$2300 to pay for the costs of applying for certification from the National Board for Professional Teaching Standards (NBPTS). One of the terms of that promissory note was that the loan recipient would be obligated to repay one half of the loan amount, \$1150, if after participation in the process for one year, he or she did not continue or otherwise successfully complete the process of obtaining NBPTS certification. Under this term of the agreement, Ms. Mackey is now obligated to repay the \$1150.

CERRA and the Department sent several letters to Ms. Mackey informing her that the \$1150 was now due and of the consequences for failing to repay the amount due. The Department received an initial payment of \$500 from Ms. Mackey on March 8, 2007, as well as payments of \$100 on May 25, 2007, \$200 on June 4, 2007, and \$100 on August 6, 2007. Ms. Mackey has not repaid the remaining \$250 now due.

#### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). The State Board finds that there is sufficient evidence supporting its decision to suspend Ms. Mackey's educator certificate from the date of this Order until she has satisfied her remaining financial obligation to the State of South Carolina, as established in the promissory note referenced above. Upon full payment of the balance due, if Ms. Mackey wishes to have her certificate reinstated, she may make a written request for reinstatement to the Department's Office of Educator Certification.

South Carolina State Board of Education

By:   
John E. Tindal, Chair

Columbia, South Carolina  
December 11, 2007